



COUNTY OF LOS ANGELES
PROBATION OVERSIGHT COMMISSION
DRAFT STATEMENT OF PROCEEDINGS FOR THE VIRTUAL
REGULAR MEETING



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THURSDAY, AUGUST 12, 2021, 12:00 P.M.

VIDEO FILE FOR THE ENTIRE MEETING

Attachment: [Video](#)

I. ADMINISTRATIVE MATTERS

1. Call to Order and Roll Call.

Chairman Franky Carrillo called the meeting to order at 12:00 p.m. Wendelyn Julien, Executive Director conducted the roll call:

Present: Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

Absent: Commissioner Danielle M. Dupuy, Commissioner Robert M. Saltzman

2. Approval of the July 22, 2021 meeting minutes.

No members of the public commented on this item.

On motion of Commissioner Garcia-Leys, seconded by Vice Chair Jackson, and unanimously carried (Commissioner Dupuy and Commissioner Saltzman being absent), the Los Angeles Probation Oversight Commission approved the July 22, 2021 minutes as amended:

Ayes: 7 – Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

Absent: 2 – Commissioner Danielle M. Dupuy, Commissioner Robert M. Saltzman

Attachments: [Supporting Document](#)
 [Public Comment/Correspondence](#)

II. DISCUSSIONS

3. Discuss and take appropriate action on the progress the Probation Department, the Los Angeles County Office of Education (LACOE) and the Department of Mental Health (DMH) have made on compliance with the Department of Justice (DOJ) Settlement.
 - Jennifer Donnell, Bureau Chief, Probation Department
 - Mark Garcia, Bureau Chief, Probation Department

- Dalila Alcantara, Deputy Director, Probation Department
- Karen Streich, Ph.D, District Chief, Department of Mental Health
- Dr. Jason Hasty, Los Angeles County Office of Education
- Dr. Maricela Ramirez, Chief Education Officer, Los Angeles County Office of Education

Ms. Donnell provided an overview of the four-year agreement between the California Department of Justice (DOJ) and the County of Los Angeles, effective January 21, 2021 through January 21, 2025. The settlement is front-loaded with providing existing policies and procedures as well as drafts of new policies. She emphasized that the Probation Department was mandated to comply with twelve areas: creating a home-like environment, technology and data management, use of force and youth safety, safety trauma informed and positive behavior approaches, room confinement, basic living needs in juvenile hall conditions, programming (including recreation, exercise, religious services, visitation, and phone calls), mental health medical care and treatment planning, education transition and after care, hiring and training of staff, oversight and grieving systems, and lastly, compensatory services for youth. Ms. Donnell added that the DOJ monitors have completed three site visits to get acquainted with the layout and programming at the physical facilities. The use of force policy has been prioritized with the next focus area being room confinement policies.

Secretary Canales joined the meeting at 12:18 p.m.

Dr. Streich explained that the stipulated judgment has eleven specific provisions, which contain requirements or deliverables for the DMH: two addressing force and youth safety, eight addressing mental health, medical care, and treatment plans, and three (specifically collaborative, either with probation or juvenile health court services or both) addressing staffing, hiring, and training. DMH has been addressing these areas by evaluating current practices, policies, procedures, and standard operating procedures, performing updates as needed, and drafting new policies or procedures where appropriate. Dr. Streich expressed that DMH's goal is to make sure that the expectations of the monitors and their understanding of those expectations are in alignment with DMH's plans and practices to make sure that DMH's progress is consistent with the recommendations and the agreement. She reported that DMH's subject matter expert has attended site visits at two locations, and DMH is focused on articulating DMH's work and role within those facilities.

Mr. Hasty shared that LACOE has submitted the required policies and trainings to the monitors and is awaiting feedback from the LACOE monitor. An extensive number of LACOE policies and practices were submitted for review pertaining to Special Education. LACOE utilizes the Secured Odyssey Public Access (SOPA) system, which too has policies and practices in place to timely identify and serve students efficiently, ensure implementation, and track service delivery. He further added that in conjunction with the settlement agreement, and under current law, LACOE also provides ongoing training for staff, including, but not limited to a trauma-informed care and nonviolent crisis intervention.

Next, Mr. Hasty discussed the interruption of educational services for students during the pandemic and how LACOE worked with school-site administrators and staff to maintain educational requirements in compliance with the Individual Disability Education Act (IDEA) and create and fulfill the requirements of individualized educational plans (IEPs) during the pandemic. He confirmed that and IEPs are continually being created for youth. He further explained how LACOE uses a student information system called Aeries to monitor

attendance and behavior, which internally assists LACOE in documenting cases where instruction has been denied due to behavioral issues. Additionally, LACOE has been collaborating with the Probation Department since the beginning of the settlement on tracking student behavior and overall attendance. LACOE instructors and staff are trained on how to respond to an immediate threat and on trauma-informed teaching practices. Another learning opportunity for all staff is obtaining certification in Nonviolent Crisis Intervention, which is an internationally recognized program taught through the Crisis Prevention Institute.

Mr. Hasty shared that student discipline and recovery is guided by California Education Codes. LACOE has partnered with the Probation Department to facilitate a daily Positive Behavioral Intervention and Support (PBIS) system to integrate with LACOE's behavior management program. Because school is year-round, Mr. Hasty emphasized that the students can earn credits faster than in traditional school and that students who are behind on credits are offered access to LACOE's digital credit recovery program called APEX. He also stressed that LACOE's Multi-Tiered System of Support and PBIS programs are collaborative efforts between LACOE and the Probation Department, in conjunction with other organizations such as the Departments of Mental Health and Health Services to create an environment within juvenile halls that promotes positive behavior and discourages negative behavior. These behavioral programs are evaluated and reviewed regularly.

Lastly, Mr. Hasty elaborated on instructional minutes. LACOE has returned to in-person instruction for 300 hours since July 1, 2021. Up until June 30, 2021, LACOE was offering 240 minutes of in-person instruction with 60 minutes being asynchronous per Senate Bill 95. The attendance reports are still being developed.

Dr. Velasquez addressed a concern about the Road to Success Academy (RTSA) rubric compliances during COVID. LACOE did not have monitored visits to the sites due to the distanced learning environments. However, Dr. Velasquez shared that LACOE is working on revamping the rubric and restarting those programs.

Evie Sun, Oscar Canales, Edin Madrid, Ronald Martinez, Betty Fang, Ezekiel Nishiyama, Zoe Rawson, Eric Walton, Kent Mendoza, Milinda Kakani, and Kenzo Kaohoue addressed the Probation Oversight Commission (POC).

In response to Chair Carrillo's inquiry, Ms. Donnell explained that she is responsible for administrative components of the DOJ settlement including compiling internal documents and auditing teams, assisting the monitors with policy review, and collaborating with operation staff and external county partners to gather data to demonstrate compliance. She further addressed his inquiry regarding internal roadblocks by emphasizing that most of the policy requirements of the agreement are already in place, and the Probation Department is waiting for the monitors to review and approve those policies. Although there are cameras placed in rooms, Ms. Donnell clarified that room confinement is currently being documented manually. She added that the Probation Department is researching electronic systems that would be able to accurately record room confinement.

Commissioner Yamashiro reminded the presenters that the POC has asked for materials referenced in public reports to be provided to the Commissioners in advance of the meeting. Ms. Donnell explained that the DOJ monitoring team is responsible for drafting and writing the reports about the Probation Department's progress towards compliance.

Commissioner Yamashiro emphasized that the POC is less interested in hearing about where the Department is in compliance with the DOJ settlement and more interested in those areas where the department is failing to comply or where there are shortcomings. In response, Ms. Donnell identified several areas of concern including data technology and infrastructure, integrating the behavior management systems between LACOE and the Probation Department, and transforming the juvenile halls to home-like environments

Commissioner Meredith shared a comment about looking beyond compliance and having vision for youth education and reform.

Commissioner Garcia-Leys asked about the school attendance and enrollment reports that the POC is supposed to have been receiving since April 2021. Mr. Hasty confirmed that LACOE is not obligated to release these reports to the POC as that requirement is in Probation's settlement agreement. Ms. Donnell responded that the Probation Department is working with County Counsel to ensure that the attendance records are accurately and apologized for the delay in providing these reports to the POC. Ms. Jean Buchanan, counsel for LACOE added that there are specific tasks under each requirement that state which entity is stipulated to provide copies to the POC and other partners. In responding to Commissioner Garcia-Leys' question and assertion that the detailed plan should be made public, she reiterated that the detailed plan is deemed confidential by LACOE's counsel. She added that all of the discussions about the DOJ Settlement between LACOE and the Probation Department are also deemed confidential and no further information could be provided at this time. Ms. Buchanan explained that LACOE is able only to discuss the general process in carrying out the judgement and is doing so on a voluntary basis, not because of any obligation to report anything to the POC.

In response to Commissioner Garcia-Leys direct question to DMH about releasing the detailed plan, Dr. Streich stated that she sees that as a legal decision that needs to be made by County Counsel. She added that the stipulated judgement clearly outlines what needs to be done and that the detailed plan provides similar information that she would not be opposed to sharing.

Commissioner Nong asked a series of questions about specific compliance with the DOJ settlement agreement. Ms. Donnell confirmed that there are youth councils in place that meet monthly or bi-weekly depending on the facility. She added that staff are being reminded of the Department's policy to provide items including underwear and blankets to youth and to accommodate youth needing to use the bathrooms at night and the policy and practices on these issues are in accord with the settlement. Ms. Donnell was unable to address Commissioner Nong's inquiry about unit supervisors receiving weekly programming reports.

Dr. Streich responded to Commissioner Nong's inquiry about the phase out of OC Spray, confirming that DMH has staff available to help deescalate situations as they arise and work with clients on an ongoing basis to teach them the skills and ways to help deescalate themselves. Commissioner Nong inquired about \$5.1 million dollars that DMH was granted as part of the DOJ Settlement. Dr. Streich clarified that this one-time funding funded additional clinicians to expand coverage to 18 hours in some specified units for this fiscal year.

Discussion ensued regarding Commissioner Yamashiro's proposed motion that the POC receive copies of the regular updates that Probation, LACOE, and DMH are providing to the DOJ in real-time.

Ms. Alcantara addressed an array of questions that were raised, specifically Commissioner Nong's inquiry about unit supervisors receiving weekly programming reports. She confirmed that the Probation Department does have a daily and weekly program plan that each facility is required to monitor daily. The Probation Department has a compliance unit manager who reviews the BSCC requirements and ensures compliance. She emphasized that the Probation Department is not waiting on approval of any policies before moving forward and implementing the suggested provisions and recommendations.

Commissioner Yamashiro emphasized the importance of transparency with the POC to allow for necessary oversight and reform.

On motion by Commissioner Yamashiro, seconded by Commissioner Meredith, unanimously carried (Commissioner Dupuy and Commissioner Saltzman being absent), the POC approved the motion that DMH, LACOE, and the Probation Department to provide the Probation Oversight Commission with all reports being sent to the DOJ regarding compliance with the settlement in real time.

Ayes: 7 – Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

Absent: 2 – Commissioner Danielle M. Dupuy, Commissioner Robert M. Saltzman

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

4. Discuss and take appropriate action on updates from the Youth Justice Re-imagined (YJR) workgroup on YJR goals and recommendations for implementing a "Care First, Jails Last" approach to youth justice, and how the YJR work is progressing and will progress further over the next year.

- Refugio Valle, Director of the Division of Youth Diversion and Development
- Tshaka Barrows, Executive Director, W. Haywood Burns Institute

Mr. Tshaka Barrows gave a presentation on the Youth Justice Advisory Group's progress towards restructuring the juvenile system with an emphasis on a health-focused model. Mr. Refugio Valle and Ms. Mariana Mendoza gave a presentation on the Los Angeles County Youth Diversion and Development (YDD) Program that is promoting alternatives to arrest and filing.

Kent Mendoza addressed the POC.

Commissioner Yamashiro mentioned that the PRIT recommendations, which were approved by the Board, recommended that the Probation Department be bifurcated as a first step and then have the juvenile side of Probation be removed from Probation oversight and into a new department. Commissioner Yamashiro asked why the YJR plan did not discuss that step. Mr. Barrows responded by emphasizing that the YJR's vision for Los Angeles County did not involve the Probation Department but rather the future beyond juvenile probation. YJR's goal is to establish the Department of Youth Development which would incorporate a vast youth development network based in the community in partnership with community-based organizations. He further added that the youth

empowerment and support teams that are engaging that youth development network will be available to help make decisions in a way that embraces the resources in the community when an incident occurs to help.

Commissioner Yamashiro inquired about the possibility of a pathway being created for the organizations that will be responsible for assisting the youth after they've been adjudicated. Mr. Barrows stated that the Chief Executive Office is discussing hiring a consultant to identify that pathway and issues pertaining to infrastructure, budget, and staffing that will ultimately determine a way to implement the new system with facets of the old model. Additionally, he added that the consultant would help with the steps of breaking down the Juvenile Probation Department and moving those resources into the Department of Youth Development with the necessary jurisdictional authority and responsibility. These proposals will need to be vetted and approved by the Board for implementation.

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

III. REPORT

5. Report on the progress of the Probation Oversight Commission's Programs and Services ad hoc subcommittee's work reviewing the status of education programs in Los Angeles County Juvenile Halls and Camps.

Commissioner Garcia-Leys reported the next strategic planning ad hoc committee meeting will be held on Monday, August 1, 2021 and the ad hoc committee is drafting a report on the state of education in the camps and halls that will be shared with Probation, LACOE, and the public. The members of the ad hoc committee are meeting with stakeholders, conducting visits and interviews, and working to draft the report.

Ezekial Nishiyama and Betty Fang addressed the POC.

By Common Consent, there being no objection (Commissioner Dupuy and Commissioner Saltzman being absent), the POC accepted Commissioner Garcia-Leys' report.

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

IV. MISCELLANEOUS

MATTERS NOT POSTED

6. Matters not posted on the agenda, to be discussed and (if requested), placed on the agenda for action at a future meeting of the authority, of matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda.

(Not on agenda)

Ms. Julien shared the upcoming meeting dates for the remainder of 2021. The two-hour meetings will remain as scheduled for August and September, with commission meetings being confirmed for August 26, 2021, September 9, 2021, and September 23, 2021. As agreed at the July 22, 2021 POC meeting, the subsequent meetings will be held once a

month for four hours beginning October 2021, with that meeting being tentatively scheduled for October 14, 2021. Additional 2021 commission meeting dates include November 15, 2021 and December 20, 2021. Beginning January 2022, the commission meetings will be held monthly on Thursdays.

Ms. Julien shared an overview of the progress with reviewing the Probation Department's grievance process and shared that staff will report back to the POC at a future meeting.

PUBLIC COMMENT

7. Opportunity for members of the public to address the Los Angeles Probation Oversight Commission (POC) on items of interest that are within the subject matter jurisdiction of the POC.

You may submit public comment by e-mail to info@poc.lacounty.gov.

Written public comment or documentation must be submitted no later than 5:00 p.m. the day before the scheduled meeting. Please include the Agenda Item and meeting date in your correspondence. Correspondence received shall become part of the official record.

Edith Macias, Thomas Bell, Mel Bailey, Alex Sanchez addressed the POC.

Commissioner Nong provided closing remarks.

Attachments: [Public Comment/Correspondence](#)

V. ADJOURNMENT

8. Adjournment for the regular meeting of August 12, 2021.

Chairman Carrillo adjourned the meeting at 2:22 p.m.